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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,593	05/03/2001	G. Thomas Williams	71362-2	6739

20915 7590 08/16/2004

MCGARRY BAIR PC
171 MONROE AVENUE, N.W.
SUITE 600
GRAND RAPIDS, MI 49503

EXAMINER

PESIN, BORIS M

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/681,593

Applicant(s)

WILLIAMS, G. THOMAS

Examiner

Boris Pesin

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/13/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-16 and 18-22 is/are rejected.
- 7) ☒ Claim(s) 8, 17 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the Amendment filed 5/3/2004.
2. Claims 1-23 are pending in this application. This action is made Final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-7, 9-16, and 18-22 rejected under 35 U.S.C. 102(a) as being anticipated by Microsoft Excel ("MS Excel," Microsoft Excel and Word 2000 Screen Dumps Figures 1-7).

As per independent claim 1, MS Excel teaches a method for organizing information relating to the interpretation of multiple information elements from at least one reference source comprising:

- a. forming a matrix having a first predetermined number of rows and a second predetermined number of columns defining matrix elements at the intersections of the rows and columns, wherein each of one the first predetermined number of rows and the second predetermined number of columns of the matrix correspond to an information element and each of the other of the first predetermined number of rows and the second predetermined number of columns correspond to the at least one reference source (figure 3).

- b. determining a reference location within the at least one reference source relating to the interpretation of an information element and setting the reference location to null if no information relating to the interpretation of the information element exists in the at least one reference source (figure 3, element 6).
- c. inserting the reference location into the matrix element in the matrix corresponding to the particular information element and the particular at least one reference source (figure 3, element 3).
- d. repeating each of steps (2) and (3) for each of the multiple information elements and the at least one reference source; whereby the location in the at least one reference source corresponding to the interpretation of a particular information element can be found at the matrix element at the intersection in the matrix corresponding to the information element to be interpreted and the at least one reference source (figure 3)

As per claim 2, which is dependent on claim 1, MS Excel teaches that the multiple information elements comprise patent claim elements (figure 3, element 2).

Claim 10 is similar in scope to claim 2, and is therefore rejected under similar rationale.

As per claim 3, which is dependent on claim 2, MS Excel teaches that the at least one reference source comprises at least one item selected from the group consisting of a patent specification, patent claims, patent drawings, a prosecution history and at least one prior art document (figure 3, element 1).

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Claim 11 and 18 are similar in scope to claim 3, and are therefore rejected under similar rationale.

As per claim 4, which is dependent on any of claims 1-3, MS Excel is a graphical user interface incorporating the above methods.

As per independent claim 5, MS Excel teaches a graphical user interface for organizing and presenting information relating to the interpretation of multiple information elements from at least one reference source comprising:

- a. an array having a first predetermined number of rows and a second predetermined number of columns defining matrix elements at the intersections of the rows and columns (figure 3).
- b. each of one of the first predetermined number of rows and the second predetermined number of columns of the matrix correspond to an information element (figure 3, element 2).
- c. each of the other of the first predetermined number of rows and the second predetermined number of columns correspond to the at least one reference source (figure 3, element 1).
- d. wherein the matrix elements contain a link to a reference location within the at least one reference source relating to the interpretation of an information element (figure 3, element 3, *clicking on an element in a cell will automatically open and display (open a link to) the requested document at the predetermined location*).

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e. setting the link to null if no information relating to the interpretation of the information element exists in the at least one reference source (figure 3, element 6).

f. a customizable workspace viewable by a user wherein the links within the array can be selectively activated and viewed by the user (figure 4 and figure 5, *figure 5 shows a reference document that the user could view upon activating a link within the array*).

Claims 14 and 20 are similar in scope to claim 5f, and are therefore rejected under similar rationale.

As per claim 6, which is dependent on claim 5, MS Excel teaches that the customizable workspace further comprises a first border, wherein the first border contains headings corresponding to the multiple information elements (figure 3, element 4).

Claims 15 and 21 are similar in scope to claim 6, and are therefore rejected under similar rationale.

As per claim 7, which is dependent on claim 6, MS Excel teaches that the customizable workspace further comprises a second border, wherein the second border contains headings corresponding to the at least one reference source (figure 3, element 5).

Claims 16 and 22 are similar in scope to claim 7, and are therefore rejected under similar rationale.

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As per independent claim 9, MS Excel teaches a system for organizing information relating to the interpretation of multiple information elements from at least one reference source comprising:

- a. a matrix having a first predetermined number of rows and a second predetermined number of columns defining matrix elements at the intersections of the rows and columns (figure 3).
- b. each of one of the first predetermined number of rows and the second predetermined number of columns of the matrix correspond to an information element (figure 3, element 2).
- c. each of the other of the first predetermined number of rows and the second predetermined number of columns correspond to the at least one reference source (figure 3, element 1).
- d. each of the matrix elements comprises one of: a reference location value representative of a location within the at least one reference source relating to the interpretation of the corresponding information element (figure 3, element 3, *clicking on an element in a cell will automatically open and display (open a link to) the requested document at the predetermined location*).
- e. a null value if no information relating to the interpretation of the information element exists in the at least one reference source (figure 3, element 6).
- f. the location in the at least one reference source corresponding to the interpretation of a particular information element can be found at the matrix element at the intersection in the matrix of the row corresponding to the

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information element to be interpreted and the column corresponding to the at least one reference source (figure 3, element 3).

As per claim 12, which is dependent on claim 9, MS Excel teaches a graphical user interface adapted to display at least one of the reference location values stored in the matrix (figure 3, element 3 and figure 5, *figure 5 shows a reference document that the user could view upon activating a link within the array*).

As per claim 13, which is dependent on claim 12, MS Excel teaches at least one data file representative of the information contained in the at least one reference source (figures 5 and 7, *figures 5 and 7 show a reference document that the user could view upon activating a link within the array*).

Claim 19 is similar in scope to claim 13, and is therefore rejected under similar rationale.

Allowable Subject Matter

Claims 8, 17, and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The feature wherein a user can display the reference information contained by a particular link in the array by clicking on one of the headings in the first border and one of the headings on the second border, wherein the link corresponding to the array element is thereby activated is allowable. This feature is allowable as it provides a novel method of selecting and opening a link within a matrix layout of a graphical user interface to organize and display information.

Response to Arguments

1. Applicant's arguments filed 5/3/2004 have been fully considered but they are not persuasive.

Applicant argued the following:

- a. That the Microsoft Excel and Word Screen Dumps cited are not prior art.
- b. That the rejection should be a 103 rejection since it relies on both Microsoft Word and Microsoft Excel.
- c. That the Screen dumps used by the examiner were created by the examiner using hindsight after reading the applicant's invention and are therefore not considered prior art.

In regards to the applicants arguments found above, the Examiner disagrees for the following reasons:

Per argument (a), the date of the cited art is the latest copyright date found in figures 1 and 2. The copyright date is 1999, therefore these screen dumps do qualify as prior art.

Per argument (b), examiner mistakenly cited screen dumps as "Microsoft Excel Screen Dumps" in the Office Action as well as on the 892. However, the actual reference document states "Microsoft Excel and Word 2000 Screen Dumps." Examiner meant to cite "Microsoft Excel and Word 2000 Screen Dumps" in both the Office Action and the 892. Appropriate citation can be found in this Office Action.

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In addition, Microsoft Word is only cited to show a feature of Microsoft Excel. Microsoft Excel has the capability to link to any number of documents and to specific document content. Microsoft Word is only used to illustrate one possibility when linking to information using this Microsoft Excel feature. Therefore, examiner will maintain the 102 rejection but will change from 102e to 102a in acknowledgement of applicants argument that this reference is neither a patent nor a patent application.

Per argument (c), while it is true that examiner was inspired to create documents based on the application, the intent is to show that by using the Microsoft Excel product, which was available prior to the applicant's priority date, Microsoft Excel could meet all claim limitations. A computer user would therefore be able to use Microsoft Excel to accomplish all limitations claimed and this therefore serves as a valid prior art rejection of the claims.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (703) 305-8774. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100